

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

PLAINTIFF,

v.

\$8,500.00 IN UNITED STATES
CURRENCY,

DEFENDANT.

Civil Action No.

1:21-cv-03847-TWT

**CLAIMANT'S SUPPLEMENTAL MEMORANDUM IN SUPPORT OF HIS
MOTION FOR ATTORNEY'S FEES**

Comes Now, Brian Moore, and files this supplemental motion for attorney fees and response to the Plaintiff United States' Response to Claimant's Motion for Attorney's Fees, Costs, and Interest (Doc 35) filed on October 5, 2022.

Claimant incorporates by reference his Claimant's Motion for Attorney Fees, Costs and Interests.

The Government argues that the burden is on the Claimant to establish that \$400 an hour is the prevailing rate in the Northern District of Georgia for this type of case.

To further support its request, Claimant Brian Moore files the attached Declaration of Attorney Richard A. Rice, Jr. The declaration shows that, in the opinion of Mr. Rice, an attorney focused on criminal defense, government investigations, and forfeiture cases, that \$400 an hour is a reasonable rate for litigating civil forfeiture matters in Atlanta. Mr. Rice also reviewed the dockets, pleadings and motions in the case and found that the work completed by Jason Sammis was required and completely necessary in causing the result obtained in this case and the dismissal of the case.

WHEREFORE, Claimant requests that the Court enter an award of attorney's fees under CAFRA in the amount of \$15,200, award prejudgment and post judgement interest in an amount to be determined by the Court based on the guidelines as set forth in Title 28, Section 1961, and provide such further relief as the Court deems just and proper.

Respectfully submitted, this 21st day of October, 2022.

By: /s/ Jason D. Sammis
Jason D. Sammis
Georgia Bar No. 623532
Sammis Law Firm, P.A.
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Tampa, FL 33602

Email: info@sammislawfirm.com

Telephone: 813-250-0500

Attorney for Claimant

CERTIFICATE OF COMPLIANCE

I hereby certify that on October 21, 2022, I prepared the forgoing CLAIMANT’S SUPPLEMENTAL MEMORANDUM IN SUPPORT OF HIS MOTION FOR ATTORNEY’S FEES, in compliance with Local Rule 5.1, N.D.Ga., using Book Antiqua 13-point type, and have this day electronically filed the document with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to all attorneys of record.

/s/ Jason D. Sammis

Jason D. Sammis

Attorney for Claimant

CERTIFICATE OF SERVICE

I hereby certify that I served CLAIMANT'S SUPPLEMENTAL
MEMORANDUM IN SUPPORT OF HIS MOTION FOR ATTORNEY'S FEES
upon Plaintiff by using the Court's CM/ECF system, which automatically
notifies the parties and counsel of record.

This 21st day of October 2022.

/s/ Jason D. Sammis
Jason D. Sammis
Attorney for Claimant

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DECLARATION OF ATTORNEY RICHARD A. RICE, JR.

1. I, Richard A. Rice, Jr., under penalty of perjury pursuant to the provisions of Title 28, United States Code, Section 1746, declare that the following is true and correct to the best of my knowledge and belief.
2. I am an attorney in Atlanta, Georgia. I am the Managing Partner of The Rice Law Firm, LLC. Prior to establishing The Rice Law Firm LLC, I was an Assistant United States Attorney for the Northern District of Georgia; a trial attorney with the United States Department of Justice, Civil Rights Division; an associate with the law firm of Hunton & Williams in the Washington, D.C. office, specializing in white collar criminal defense and commercial litigation; an associate with the law firm of Kirkland & Ellis in the Washington, D.C. office, specializing in products liability and commercial litigation; and a

Commissioned Officer in the United States Navy Judge Advocate General's Corps. I am a 1994 graduate of the University of Notre Dame Law School

3. I am currently licensed in all of the federal and state courts and appellate courts in the State of Georgia. I have been a practicing lawyer for approximately 28 years.
4. In my practice, I specialize in criminal defense, government investigations, and forfeiture cases. I have litigated civil and criminal forfeiture cases as a defense counsel since 2008 and prior to that was involved in civil and criminal forfeiture cases while employed as an Assistant United States Attorney for the Northern District of Georgia.
5. In my experience, \$400 per hour is a reasonable rate for an attorney experienced in litigating civil forfeiture matters in Atlanta. That is an amount I would typically charge for a forfeiture case taken on an hourly basis, unless the case is taken on as contingency fee case or blended hourly rate and contingency fee.
6. I have reviewed the docket, pleadings and motions in the above-captioned case.
7. I have also reviewed the Claimant's Motion for Attorney's Fees as well as the affidavit of Jason Sammis including the detailed sheet explaining the work done and the time for each task. I find the work completed and set forth in the

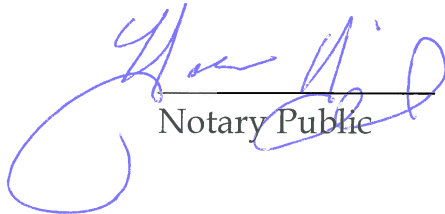
affidavit to be required and completely necessary in causing the result of this case and the Government dismissing this case.

Dated: This 21st day of October, 2022



RICHARD A. RICE, JR
The Rice Law Firm, LLC
3151 Maple Drive NE
Atlanta GA 30305
Ga. Bar 603203

Sworn to and subscribed
before me this 21 day
of October, 2022.


Notary Public